

**SUPREME COURT MINUTES  
FRIDAY, AUGUST 1, 2008  
SAN FRANCISCO, CALIFORNIA**

**S164740****MORRIS (CONDALEE) ON  
H.C.**

Petition ordered withdrawn (criminal case)

Pursuant to written request of petitioner the above-entitled petition for writ of habeas corpus is ordered withdrawn.

**S070686****PEOPLE v. ROMERO  
(GERARDO)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to October 10, 2008, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S164109**

B207633 Second Appellate District, Div. 5

**ZAMORANO (RUDY) ON  
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2008.

**S161008**

B188718 Second Appellate District, Div. 8

**VILLAGE NORTHRIDGE  
HOMEOWNERS  
ASSOCIATION v. STATE  
FARM FIRE & CASUALTY  
COMPANY**

Extension of time granted

On application of Amicus Curiae - The Civil Justice Association of California and good cause appearing, it is ordered that the time to serve and file the Amicus Curiae Brief is extended to August 15, 2008.

**S162675** F051812 Fifth Appellate District**PEOPLE v. STONE  
(NICHOLAS SCOTT)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to August 9, 2008.

**S036105****PEOPLE v. PRINCE, JR.,  
(CLEOPHUS)**

Counsel appointment order filed

Upon request of condemned inmate Cleophus Prince, Jr., for appointment of counsel, Gary B. Wells is hereby appointed to represent condemned inmate Cleophus Prince, Jr., for habeas corpus/executive clemency proceedings related to the above automatic appeal now final in this court.

Any "petition for a writ of habeas corpus will be presumed to be filed without substantial delay if it is filed ... within 36 months" of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court's delay in appointing habeas corpus/executive clemency counsel on behalf of condemned inmate Cleophus Prince, Jr.

**S163311** C056099 Third Appellate District**BURDAN (CLARENCE) ON  
H.C.**

Counsel appointment order filed

Upon request of petitioner for appointment of counsel, Michael Satris is hereby appointed to represent petitioner on the appeal now pending in this court.

**S054489****PEOPLE v. DOOLIN (KEITH  
ZON)**

Request for judicial notice granted

Respondent's request for judicial notice on page 62, footnote 19, of respondent's brief, filed on October 6, 2004, is granted.

Appellant's "Motion for Judicial Notice," filed on October 15, 2007, is granted.

**S130263****GAY (KENNETH EARL) ON  
H.C.**

Order filed

The order filed on July 30, 2008, is hereby amended to read in its entirety:

The Director of the Department of Corrections and Rehabilitation is ordered to show cause, when the matter is ordered on calendar, why petitioner is not entitled to relief on the ground of trial counsel's conflict of interest that prejudicially affected his representation at the guilt phase of petitioner's trial, and on the ground of trial counsel's failure to adequately investigate and present evidence at the guilt phase tending to show that petitioner did not participate in the murder of Officer Verna, as alleged in Claims Two and Three of the petition.

The written return is to be served on or before August 29, 2008.

At the joint request of the parties, all proceedings in the penalty retrial in *People v. Kenneth Earl Gay*, Los Angeles Superior Court Case No. A392702, are stayed pending further of this court. George, C. J., was recused and did not participate.